

United States Government

Department of Energy
Bonneville Power Administration

memorandum

DATE: November 24, 2003

REPLY TO
ATTN OF: KEC-4

SUBJECT: Supplement Analysis for the Watershed Management Program EIS (DOE/EIS-0265/SA-129)

TO: Jamie Swan
Fish and Wildlife Project Manager, KEW-4

Proposed Action: Oregon Fish Screening Project, Screen Replacements (2004 and ongoing)

Project No: 1993-066-00

Watershed Management Techniques or Actions Addressed Under This Supplement

Analysis (See App. A of the Watershed Management Program EIS): 1.8 Bank Protection; 1.9 Structural Bank Protection using Bio Engineering Techniques; 1.10 Structural Bank Protection using Engineering Structures; 1.14 Reduce Scour and Deposition at Hydraulic Structures; 1.15 Fish Passage Enhancement-Fishways; 1.16 Spawning Habitat Enhancements; 1.17 Rearing Habitat Enhancements; 2.1 Maintain Healthy Riparian Plant Communities; 2.4 Provide Filter Strips to Catch Sediment and Other Pollutants; 2.6 Native Seed Inventories; 2.7 Avoid Exotic Species; 3.7 Critical Area Planting; 3.13 Diversion Ditch; 4.23 Intake and Return Diversion Screens; 4.25 Consolidate/Replace Irrigation Diversion Dams; 6.14 Vegetation Stabilization-Critical Area Planting

Location: Grant, Umatilla, and Walla Walla Counties, Oregon

Proposed by: Bonneville Power Administration (BPA) and the Oregon Department of Fish and Wildlife (ODFW)

Description of the Proposed Action: BPA is proposing to fund a project that will provide immediate and long-term protection for anadromous and resident fish through the replacement of out-of-criteria screening devices on private irrigation diversions and dam structures. The goal of this project is to replace approximately 20 screening devices and implement one fish passage project per year. This Supplement Analysis covers only the screening projects; annual passage projects will require separate NEPA analysis and documentation. The screening projects will take place in the John Day, Umatilla and Walla Walla subbasins. Projects are prioritized using the Priority Screening Criteria point system adopted by ODFW from the Oregon Watershed Enhancement Board. Factors considered in prioritization include: fish species present, fish numbers, basin priority, habitat quality, diversions screened within the stream system, etc.

Analysis: The compliance checklist for this project was completed by Steve Allen with the Oregon Department of Fish and Wildlife (October 8, 2003), and meets the standards and guidelines for the Watershed Management Program Environmental Impact Statement (EIS) and Record of Decision (ROD).

Endangered Species Act (ESA) listed Mid-Columbia steelhead and bull trout occur in proximity to many of the proposed screen replacement sites. Most of the projects are located off channel, on private agricultural lands. As reported by R. Z. Smith of NOAA Fisheries in December 2001, off channel screen replacement projects are exempt from ESA Section 7 consultation when the subject irrigation ditch is shut-off or bypassed leaving a dry work site or one that fish cannot access. As possible, these conditions will be followed for the proposed screen replacement projects. In cases where these conditions cannot be met, such as projects that require instream work or involve fish salvage activities, appropriate ESA consultation with NOAA Fisheries and U.S. Fish and Wildlife Service (USFWS) will be required. BPA should be notified prior to the initiation of any required ESA consultation.

Staff from the John Day Screening and Passage Program will work in cooperation with ODFW biologists to identify possible impacts to other sensitive species prior to project work. As necessary, USFWS and any other agencies that have jurisdiction in the project area will be contacted to ensure project compliance with species protection guidelines. In addition, all activities will comply with the ODFW Habitat Policies and Standards and the Natural Resource Conservation Service Field Office Technical Guide for Best Management Practices to prevent erosion and sedimentation.

Most of the screens that will be replaced under this project were originally constructed in the mid 1950's and 1960's. Typically during construction, there can be anywhere from 30 to 150 yards of soil moved to place a screen project. The majority of the proposed projects are located off channel, on private agricultural land where soils have been previously disturbed. Given present site conditions, it is unlikely that cultural resources would be impacted by these screen replacement activities. Site surveys will be performed prior to construction, and if any cultural resource related items are discovered, construction will not proceed until BPA, the Oregon State Historic Preservation Office (SHPO) and the appropriate Tribes are consulted. For projects that will take place on public lands, federal agency cultural resource staff will be consulted in the project planning stage and, if deemed necessary, BPA, the Oregon SHPO, and any affected Tribes will be contacted. The Oregon SHPO concurred with these cultural resource findings and conditions on January 11, 2002.

The proposed screen replacement projects will take place off channel and the subject irrigation ditches will be shut-off or bypassed so that work can occur in the dry. Given these conditions, projects will likely not require state or federal permits to proceed. In the event that work cannot be accomplished following the above guidelines, appropriate permits and approvals will be obtained prior to construction. These will likely include an Oregon Division of State Lands Removal-Fill Permit, a U.S. Army Corps of Engineers 404 Permit, and a state issued 401 Water Quality Certification.

The landowners involved in the proposed screen replacement projects are taking part on a voluntary basis. Potential participants were sent letters informing them of the screening program and asking for their voluntary participation. This program was also publicized at local Watershed Council meetings. The project proponents have consulted with affected tribes, state and federal fish and wildlife agencies, local governments, and nearby landowners about the program. Partnerships on this program have been formed with the following: Confederated

Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Indian Reservation, Burns Paiute Tribe Department of Environmental Quality, OR Department of Forestry, OR Department of State Lands, OR Water Resources Department, OR State Police, NOAA Fisheries, USFWS, Natural Resource Conservation Service, U.S. Army Corps of Engineers, U.S. Bureau of Reclamation, U.S. Forest Service, U.S. Bureau of Land Management, and affected Soil and Water Conservation Districts.

Findings: The project is generally consistent with the Northwest Power Planning Council's Fish and Wildlife Program, as well as BPA's Watershed Management Program EIS (DOE/EIS-0265) and ROD. This Supplement Analysis finds that: 1) implementing the proposed action will not result in any substantial changes to the Watershed Management Program that are relevant to environmental concerns; and 2) there are no significant new circumstances or information relevant to environmental concerns and bearing on the Watershed Management Program or its impacts. Therefore, no further NEPA documentation is required.

/s/ Shannon Stewart 12/2/2003

Shannon C. Stewart
Environmental Specialist

CONCUR:

/s/ Thomas C. McKinney

Thomas C. McKinney
NEPA Compliance Officer

DATE: 12/02/2003

Attachments:

NEPA Compliance Checklist

cc:

(w/o attachment)

Mr. Steve Allen, Oregon Department of Fish and Wildlife